IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.260 of 2006
in
S.A.st No.7494 of 2006

M J Khatib and ors.. applicants
vs
M H M Khatib by LRs and ors.respondents

Ms Jyoti S Pandey for applicants

**CORAM; A.M.KHANWILKAR J.**

**DATED l7.2.2006**

**P.C.**

l. The explanation offered in this application is unacceptable. Even though sufficient cause is not made out in this application,as the litigant should not suffer for the mistake of the advocate, this application is allowed in terms of prayer clauses (a) and (b) on condition that the advocate on record personally shall pay the cost quantified at Rs.750 to the High Court Legal Services Authority within a period of one week from today, failing which the office to proceed on the assumption that the application is dismissed for non prosecution without reference to court. If the cost is paid in time the appeal to be processed and listed as per its turn.